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BY

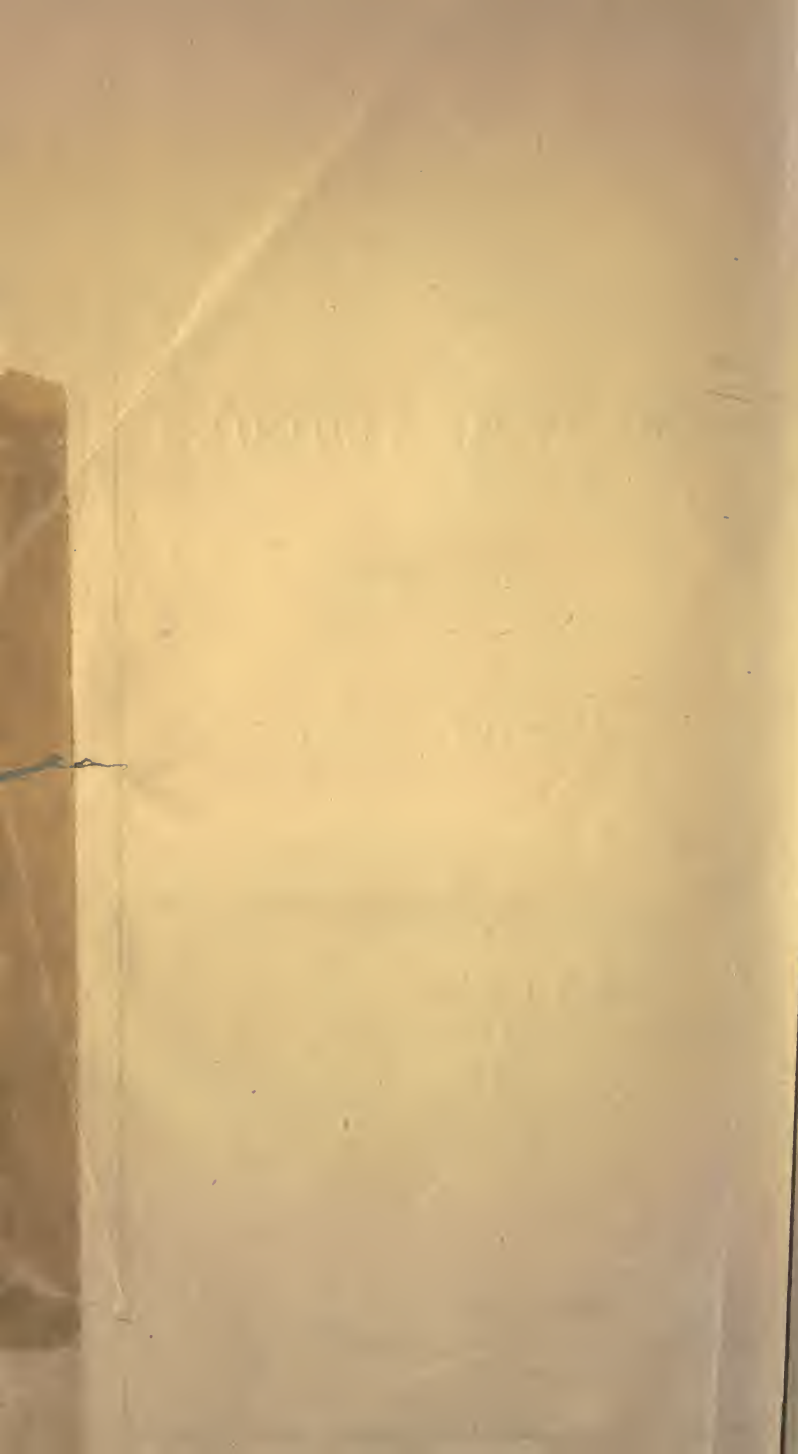
GEORGE H. MOORE,

LIBRARIAN OF THE NEW-YORK HISTORICAL SOCIETY.

NEW YORK:

CHARLES T. EVANS, 532 BROADWAY.

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## HISTORICAL NOTES

### ON THE EMPLOYMENT OF NEGROES IN THE AMERICAN ARMY OF THE REVOLUTION.

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(THE employment of negroes became a subject of importance at an early stage of the American War of Independence. The British naturally regarded slavery as an element of weakness in the condition of the colonies, in which the slaves were numerous, and laid their plans to gain the blacks, and induce them to take up arms against their masters, by promising them their liberty, on this condition.) One of the earliest and most powerful American writers against Slavery (the famous Dr. HOPKINS) wrote thus in 1776:

“God is so ordering it in his providence, that it seems absolutely necessary something should speedily be done with respect to the slaves among us, in order to our safety, and to prevent their turning against us in our present struggle, in order to get their liberty. Our oppressors have planned to gain the blacks, and induce them to take up arms against us, by promising them liberty on this condition; and this plan they are prosecuting to the utmost of their power, by which means they have persuaded numbers to join them. And should



we attempt to restrain them by force and severity, keeping a strict guard over them, and punishing them severely, who shall be detected in attempting to join our opposers; this will only be making bad worse, and serve to render our inconsistency, oppression, and cruelty, more criminal, perspicuous, and shocking, and bring down the righteous vengeance of heaven on our heads. The only way pointed out to prevent this threatening evil, is to set the blacks at liberty ourselves, by some public acts and laws; and then give them proper encouragement to labour, or take arms in the defence of the American cause, as they shall choose. This would at once be doing them some degree of justice, and defeating our enemies in the scheme they are prosecuting."

These were the views of a philanthropic divine, who urged them upon the Continental Congress and the owners of slaves throughout the Colonies with singular power, showing it to be at once their duty and their interest to adopt the policy of Emancipation.

Such, however, were not the ruling ideas in administration of any of the Colonies—not even in Massachusetts, although the subject was prominent at an early day. In October, 1774, a formal suggestion was made in their first Provincial Congress of "the propriety, that while we are attempting to free ourselves from our present embarrassments, and preserve ourselves from slavery, that we also take into consideration the state and circumstances of the negro slaves in this province." A motion for a committee to take the subject into consideration, produced some debate, when "the question was put, whether the matter now subside, and it passed in the affirmative."

But while the general question of emancipation was thus allowed to "subside," the exigencies of the contest again and again brought up the practical one of em-



ployment for negroes, whether bond or free; and still Massachusetts continued to adhere to the conservative policy.

In May, 1775, the Committee of Safety (Hancock and Warren's committee)\* came to a formal resolution, which is certainly one of the most significant documents of the period.

*"Resolved, That it is the opinion of this Committee, as the contest now between Great Britain and the Colonies respects the liberties and privileges of the latter, which the Colonies are determined to maintain, that the admission of any persons, as soldiers, into the army now raising, but only such as are freemen, will be inconsistent with the principles that are to be supported, and reflect dishonor on this Colony, and that no slaves be admitted into this army upon any consideration whatever."*

This resolution being communicated to the Provincial Congress (June 6, 1775) was read, and ordered to lie on the table for further consideration. It was probably allowed to "subside," like the former proposition.

Washington took command of the army around Boston on the 3d July, 1775.

The instructions for the recruiting officers of the several regiments of the Massachusetts Bay Forces, 10th July, 1775, from his head-quarters at Cambridge, prohibited the enlistment of any "negro." It may also be noticed that they were forbidden to enlist "any Person who is not an American born, unless such Person has a Wife and Family and is a settled Resident in this Country."

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\* It may be gratifying to persons in similar official positions at this day to know that a citizen of Massachusetts was called to the bar of the Provincial Congress, and "admonished" for having made use of the following expression, viz.: "By God, if this province is to be governed in this manner, it is time for us to look out; and 'tis all owing to the Committee of Safety, a pack of sappy-head-fellows. I know three of them myself."

Notwithstanding all this, the fact is notorious, as Bancroft says, that "the roll of the army at Cambridge had from its first formation borne the names of men of color." "Free negroes stood in the ranks by the side of white men. In the beginning of the war they had entered the provincial army: the first general order which was issued by Ward, had required a return, among other things, of the 'complexion' of the soldiers; and black men, like others, were retained in the service after the troops were adopted by the continent."

On the 26th Sept., 1775, a debate occurred in the Continental Congress, upon the draft of a letter to the Commander in-Chief, reported by Lynch, Lee, and Adams, to whom several of Washington's previous letters had been referred, and E. Rutledge, of South Carolina, moved that the General should be instructed to discharge all the negroes, as well slaves as freemen, in his army. He was strongly supported by many of the Southern delegates, but so powerfully opposed that he lost the point. Again,

"At a council of war, held at head-quarters, October 8th, 1775, present: His Excellency, General Washington; Major-Generals Ward, Lee, and Putnam; Brigadier-Generals Thomas, Spencer, Heath, Sullivan, Greene, and Gates—the question was proposed:

"Whether it will be advisable to enlist any negroes in the new army? or whether there be a distinction between such as are slaves and those who are free?"

"It was agreed unanimously to reject all slaves; and, by a great majority, to reject negroes altogether."

Soon after this, a Committee of Conference, consisting of Dr. Franklin, Benj. Harrison, and Thomas Lynch, met at Cambridge (Oct. 18, 1775), with the Deputy-Governors of Connecticut and Rhode Island, and the Committee of the Council of Massachusetts Bay, to confer with General Washington, and devise a method for renovating the army. On the 23d October, the negro question was presented and disposed of as follows:

“Ought not negroes to be excluded from the new enlistment, especially such as are slaves? all were thought improper by the council of officers.”

“*Agreed* that they be rejected altogether.”

In general orders, November 12, 1775, Washington says:

“Neither negroes, boys unable to bear arms, nor old men unfit to endure the fatigues of the campaign, are to be enlisted.”

General Washington, however, in the last days of the year, upon representations to him that the free negroes who had served in his army, were very much dissatisfied at being discarded, and fearing that they might seek employment in the ministerial army,\* took the responsibility to depart from the resolution respecting them, and gave license for their being enlisted.

In general orders, December 30, he says:

“As the General is informed that numbers of free negroes are desirous of enlisting, he gives leave to the recruiting officers to entertain them, and promises to lay the matter before the Congress, who, he doubts not, will approve of it.”

Washington communicated his action to Congress, adding, “If this is disapproved of by Congress, I will put a stop to it.”

His letter was referred to a committee of three (Mr. Wythe, Mr. Adams, and Mr. Wilson) on the 15th January, 1776, and upon their report on the following day, the Congress determined—

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\* Washington's apprehensions were grounded somewhat on the operations of Lord Dunmore, whose proclamation had been issued declaring “all indented servants, negroes, or others (appertaining to rebels) free,” and calling on them to join his Majesty's troops. It was the opinion of the Commander-in-Chief that, if Dunmore was not crushed before Spring, he would become the most formidable enemy America had; “his strength will increase as a snowball by rolling, and faster, if some expedient cannot be hit upon to convince the slaves and servants of the impotency of his designs.”



“That the free negroes who have served faithfully in the army at Cambridge may be re-enlisted therein, but no others.”

This limited toleration seems to have exhausted the power in direct action of the United States on the subject of black levies in the army of the Revolution ; but it is by no means to be regarded as a final settlement of the question. Their subsequent action was by recommendation to the States, with a most conservative caution not to infringe upon State rights.

Early in 1779, a proposal was made which promised the best results, had it been fairly put in operation. The following letter from Alexander Hamilton to the President of Congress, written from head-quarters, embodies the views which may be presumed to have prevailed there :

“HAMILTON TO JAY

“HEAD-QUARTERS, *March 14, 1779.*

“DEAR SIR : Colonel Laurens, who will have the honor of delivering you this letter, is on his way to South Carolina, on a project which I think, in the present situation of affairs there, is a very good one, and deserves every kind of support and encouragement. This is, to raise two, three, or four battalions of negroes, with the assistance of the government of that State, by contributions from the owners, in proportion to the number they possess. If you should think proper to enter upon the subject with him, he will give you a detail of his plan. He wishes to have it recommended by Congress to the State ; and, as an inducement, that they would engage to take their battalions into Continental pay.

“It appears to me, that an expedient of this kind, in the present state of Southern affairs, is the most rational that can be adopted, and promises very important advantages. Indeed, I hardly see how a sufficient force can be collected in that quarter without it : and the enemy’s operations there are growing infinitely serious and formidable. I have not the least doubt, that the negroes will make very excellent soldiers with proper management : and I will venture to pronounce, that they cannot be put in better hands than those of Mr. Laurens. He has all the zeal, intelligence, enterprise, and every other qualification, requisite to succeed in

such an undertaking. It is a maxim with some great military judges, that, with sensible officers, soldiers can hardly be too stupid ; and, on this principle, it is thought that the Russians would make the best soldiers in the world, if they were under other officers than their own. The King of Prussia is among the number who maintain this doctrine, and has a very emphatic saying on the occasion, which I do not exactly recollect. I mention this because I have frequently heard it objected to the scheme of embodying negroes, that they are too stupid to make soldiers. This is so far from appearing to me a valid objection, that I think their want of cultivation (for their natural faculties are as good as ours), joined to that habit of subordination which they acquire from a life of servitude, will enable them sooner to become soldiers than our white inhabitants. Let officers be men of sense and sentiment, and the nearer the soldiers approach to machines, perhaps the better.

“ I foresee that this project will have to combat much opposition from prejudice and self-interest. The contempt we have been taught to entertain for the blacks, makes us fancy many things that are founded neither in reason nor experience ; and an unwillingness to part with property of so valuable a kind, will furnish a thousand arguments to show the impracticability, or pernicious tendency, of a scheme which requires such sacrifices. But it should be considered, that if we do not make use of them in this way, the enemy probably will ; and that the best way to counteract the temptations they will hold out, will be to offer them ourselves. An essential part of the plan is, to give them their freedom with their swords. This will secure their fidelity, animate their courage, and, I believe, will have a good influence upon those who remain, by opening a door to their emancipation.

“ This circumstance, I confess, has no small weight in inducing me to wish the success of the project ; for the dictates of humanity and true policy equally interest me in favor of this unfortunate class of men.

“ While I am on the subject of Southern affairs, you will excuse the liberty I take in saying, that I do not think measures sufficiently vigorous are pursuing for our defence in that quarter. Except the few regular troops of South Carolina, we seem to be relying wholly on the militia of that and two neighboring States. These will soon grow impatient of service, and leave our affairs in a miserable situation. No considerable force can be uniformly kept up by militia, to say nothing of the many obvious and well-known inconveniences that attend this kind of troops. I would beg leave to suggest, sir, that

no time ought to be lost in making a draught of militia to serve a twelve-month, from the States of North and South Carolina and Virginia. But South Carolina, being very weak in her population of whites, may be excused from the draught, on condition of furnishing the black battalions. The two others may furnish about three thousand five hundred men, and be exempted, on that account, from sending any succors to this army. The States to the northward of Virginia, will be fully able to give competent supplies to the army here; and it will require all the force and exertions of the three States I have mentioned, to withstand the storm which has arisen, and is increasing in the South.

“The troops draughted, must be thrown into battalions, and officered in the best possible manner. The best supernumerary officers may be made use of as far as they will go. If arms are wanted for their troops, and no better way of supplying them is to be found, we should endeavor to levy a contribution of arms upon the militia at large. Extraordinary exigencies demand extraordinary means. I fear this Southern business will become a very *grave* one.

“With the truest respect and esteem,

“I am, sir, your most obedient servant,

ALEX. HAMILTON.

“His Excellency, JOHN JAY,  
President of Congress.”

This project of Laurens was most timely. The Southern States were threatened by the enemy, and the circumstances of the army would not admit of the detaching any force for their defence.

The continental battalions of South Carolina and Georgia were far from being adequate to the work.

Three battalions of North Carolina continental troops were at that time on the Southern service, but they were composed of drafts from the militia for nine months only—and the term of service of a great part of them, would expire before the end of the campaign. All the other force then employed for the defence of these States, consisted of militia, who could not justly be relied on for continued exertions and a protracted war.

These views were illustrated and enforced in Con-



gress by a committee, who evidently favored the views of Laurens, sustained as they were by the accredited representatives of his native State, and her government.

On the 29th of March, 1779, a committee of Congress, who had been appointed to take into consideration the circumstances of the Southern States, and the ways and means for safety and defence, made their report. South Carolina had made a serious representation of her exposed condition in consequence of the great number of her slaves. She was unable to make any effectual efforts with militia, by reason of the great proportion of citizens necessary to remain at home to prevent insurrections among the negroes, and their desertion to the enemy, who were assiduous in their endeavors to excite both revolt and desertion. Under these circumstances, the delegates from that State, and a special envoy from the Governor suggested "that a force might be raised in the said State from among the negroes, which would not only be formidable to the enemy, from their numbers, *and the discipline of which they would very readily admit*, but would also lessen the dangers from revolts and desertions, by detaching the most vigorous and enterprising from among the negroes. That, as this measure may involve inconveniences peculiarly affecting the State of South Carolina and Georgia, the committee are of opinion that the same should be submitted to the governing powers of the said States; and if the said powers shall judge it expedient to raise such a force, that the United States ought to defray the expense thereof: Whereupon,

"*Resolved*, That it be recommended to the States of South Carolina and Georgia, if they shall think the same expedient, to take measures immediately for raising three thousand able-bodied negroes.

"That the said negroes be formed into separate corps, as bat-

talions, according to the arrangements adopted for the main army, to be commanded by white commissioned and non-commissioned officers.

“That the commissioned officers be appointed by the said States.

“That the non-commissioned officers may, if the said States respectively shall think proper, be taken from among the non-commissioned officers and soldiers of the continental battalions of the said States respectively.

“That the governors of the said States, together with the commanding officer of the Southern army, be empowered to incorporate the several continental battalions of their States with each other respectively, agreeably to the arrangement of the army, as established by the resolutions of May 27, 1778; and to appoint such of the supernumerary officers to command the said negroes, as shall choose to go into that service.

“*Resolved*, That Congress will make provision for paying the proprietors of such negroes as shall be enlisted for the service of the United States during the war, a full compensation for the property, at a rate not exceeding one thousand dollars for each active, able-bodied negro man of standard size, not exceeding thirty-five years of age, who shall be so enlisted and pass muster.

“That no pay or bounty be allowed to the said negroes; but that they be clothed and subsisted at the expense of the United States.

“That every negro, who shall well and faithfully serve as a soldier to the end of the present war, and shall then return his arms, be emancipated, and receive the sum of fifty dollars.”

Such was the project and such its origin. Full of zeal and enthusiasm in his design, which was the public good, Laurens himself proposed to bear a part in this business, by taking the command of a battalion, and on the same day on which the resolutions were adopted, was appointed by Congress a Lieutenant-Colonel. The resolution is significant.

“Whereas John Laurens, Esq., who has heretofore acted as aide-de-camp to the commander-in-chief, is desirous of repairing to South Carolina, with a design to assist in defence of the Southern States:

“*Resolved*, That a commission of lieutenant-colonel be granted to the said John Laurens, Esq.”

He proceeded at once to Charleston to urge upon the authorities of South Carolina the adoption of the proposed plan. A letter from him at this date says: "It appears to me that I should be inexcusable in the light of a citizen, if I did not continue my utmost efforts for carrying the plan of the black levies into execution, while there remains the smallest hope of success.

... The House of Representatives ... will be convened in a few days. I intend to qualify, and make a final effort. Oh that I were a Demosthenes! The Athenians never deserved a more bitter exprobration than our countrymen."

Major-general Greene entertained the same opinions with reference to the black levies, and very emphatically said that he had not the least doubt that the blacks would make good soldiers.

But the project encountered at once that strong, deep-seated feeling, nurtured from earliest infancy among that people, which was ready to decide, with instinctive promptness, against "a measure of so threatening an aspect, and so offensive to that republican (?) pride, which disdains to commit the defence of the country to servile bands, or share with a color, to which the idea of inferiority is inseparably connected, the profession of arms, and that approximation of condition which must exist between the regular soldier and the militia man."

These words are those of the Southern historian who tells us how South Carolina and Georgia were "startled" by this proposal of one of the most gifted of their children.

The Legislature, under the influence of such sentiments, thought the experiment a dangerous one, and the plan was not adopted. Laurens renewed his efforts at a later period of the war, and urged the matter very



strenuously both to the privy council and legislative body. His own account of his second failure is the best that can be given :

“I was outvoted, having only reason on my side, and being opposed by a triple-headed monster, that shed the baneful influence of avarice, prejudice, and pusillanimity in all our assemblies. It was some consolation to me, however, to find that philosophy and truth had made some little progress since my last effort, as I obtained twice as many suffrages as before.”

Washington comforted Laurens with the confession that he was not at all astonished by the failure of the plan, adding :

“That spirit of freedom, which at the commencement of this contest would have gladly sacrificed everything to the attainment of its object, has long since subsided, and every selfish passion has taken its place. It is not the public, but private interest, which influences the generality of mankind, nor can the Americans any longer boast an exception. Under these circumstances it would rather have been surprising if you had succeeded.”

In the beginning of the war, the Georgia delegates gave to John Adams, as recorded in his diary at the time, “a melancholy account of the state of Georgia and South Carolina. They said if one thousand regular troops should land in Georgia, and their commander be provided with arms and clothes enough, and proclaim freedom to all the negroes who would join his camp, twenty thousand negroes would join it from the two Provinces in a fortnight. The negroes have a wonderful art of communicating intelligence among themselves; it will run several hundreds of miles in a week or fortnight. They said their only security was this; that all the King’s friends, and tools of Government, have large

plantations, and property in negroes, so that the slaves of the Tories would be lost, as well as those of the Whigs."

Ramsay, the historian of South Carolina, estimates the loss of negroes during the war by thousands; and states: "It has been computed by good judges that, between the years 1775 and 1783, the State of South Carolina lost twenty-five thousand negroes." This was a fifth part of all the slaves in the State at the beginning of the war, and equal to more than half the entire white population.

In Georgia the loss was greater in proportion, the best authority estimating it at from three-fourths to seven-eighths of all in the State. The British there organized and made use of the negroes. At the siege of Augusta, in 1781, Fort Cornwallis "was garrisoned by four hundred men, in addition to two hundred negroes."

As late as 1786, a corps of runaway negroes, the leaders of which, having been trained to arms by the British during the siege of Savannah, still called themselves the "King of England's soldiers," continued to harass and alarm the people on both sides the Savannah river by their own depredations and the fear that their countenance might lead to a general and bloody insurrection of the slaves in that vicinity. The historian of the State of Georgia, who records their final suppression, speaks of them as "one of the most dangerous and best disciplined bands of marauders which ever infested its borders."

Notwithstanding all his previous discouragements, Laurens, in 1782, took new measures in Georgia on the subject of the black levies, and, as he himself expressed it, "with all the tenacity of a man making a last effort on so interesting an occasion."

But all was of no avail. Though the wisdom of the statesman, the gallantry of the soldier, and the self-devotion of the patriot, which formed the character of John Laurens, were never more conspicuous than in his efforts on this occasion, South Carolina was almost as little able to appreciate them then as she would be to-day. Always hostile to free government, the majority of her population were steeped in toryism, and so wedded to their system then as to refuse to make use of the most certain means of defence against their own oppressors. Grand and glorious names live in the pages of her revolutionary history, but the sentiments and opinions which are their most lasting claims to honor, were then unheeded, and have long since ceased to find an echo in the hearts of their degenerate children.

There can be no doubt that negroes, bond and free, were in the ranks of the American army during the entire period of the war, or that they continued to be enlisted or enrolled in most of the States, especially as the pressure for recruits increased in the later years of the struggle.

Graydon, whose Memoirs are so familiar to the students of our revolutionary history, in his famous description of the army at New York in 1776, makes a favorable exception of Glover's regiment from Marblehead, Mass., among the "miserably constituted bands from New England." "But," he adds, "even in this regiment there were a number of negroes, which, to persons unaccustomed to such associations, had a disagreeable, degrading effect."

It is to be hoped that the researches of our historical scholars will develop more accurate information as to this class of our revolutionary patriots. At present, a deficiency must be noted in this respect. The returns of their numbers, it is to be presumed, were rarely made



separately, as they appear to have been scattered through the entire forces; or, if made, have almost entirely escaped notice.

The following return is one of the most interesting memorials of the negro service in the American army of the Revolution, and may be relied on as authentic, as it was official.

RETURN OF NEGROES IN THE ARMY, 24TH AUG., 1778.

BRIGADES.	<i>Present.</i>	<i>Sick absent.</i>	<i>On command</i>	TOTAL.
North Carolina.....	42	10	6	58
Woodford.....	36	3	1	40
Muhlenburg.....	64	26	8	98
Smallwood.....	20	3	1	24
2d Maryland.....	43	15	2	60
Wayne.....	2	..	..	2
2d Pennsylvania.....	[33]	[1]	[1]	[35]
Clinton.....	33	2	4	39
Parsons.....	117	12	19	148
Huntington.....	56	2	4	62
Nixon.....	26	..	1	27
Patterson.....	64	13	12	89
Late Learned.....	34	4	8	46
Poor.....	16	7	4	27
Total.....	586	98	71	755

ALEX. SCAMMELL,

Adj.-Gen.

This return embraces the negroes with the main army, under General Washington's immediate command, two months after the battle of Monmouth.

Similar returns from the other armies in other departments would doubtless show a larger proportion in many brigades. The black regiment of Rhode Island slaves is not included in the above return, although it

had been already organized. Its history is as remarkable as any part of the subject under consideration.

Early in 1778 it was proposed by General Varnum to Washington that the two Rhode Island battalions in camp at Valley Forge should be united, and that the officers of one, Col. Greene, Lieut.-Col. Olney, and Major Ward, with their subalterns, be sent to Rhode Island to enlist a battalion of negroes for the continental service. The plan was approved, and the officers were sent home for that purpose.

The Rhode Island Assembly accordingly resolved to raise a regiment of slaves, who were to be freed upon their enlistment, and their owners to be paid by the State according to the valuation of a committee (of five, one from each county)—one hundred and twenty pounds being the highest price for the most valuable slave. Six deputies protested against this act, on the ground that there were not enough slaves to make an effective regiment; that the measure would be disapproved abroad; that the expense would be greater, and the owners be dissatisfied with the indemnity offered by the State.

The preamble of the act recites the fact that "history affords us frequent precedents of the wisest, freest, and bravest nations having liberated their slaves and enlisted them as soldiers to fight in defence of their country."

Gov. Cooke, in reporting the result to Washington, said: "Liberty is given to every effective slave to enter into the service during the war; and upon his passing muster he is absolutely made free, and entitled to all the wages, bounties, and encouragements given by Congress to any soldier enlisting into their service. . . . The number of slaves is not great but it is generally

thought that three hundred and upwards will be enlisted."

His expectations were not disappointed; and these slaves who were to win their own freedom in fighting for American Independence took the field in force. Before the end of the year, these men were tried and not found wanting. In the battle of Rhode Island, Aug. 29, 1778, said by Lafayette to have been "the best fought action of the whole war," this newly raised black regiment, under Col. Greene, distinguished itself by deeds of desperate valor, repelling three times the fierce assaults of an overwhelming force of Hessian troops. And so they continued to discharge their duty with zeal and fidelity—never losing any of their first laurels so gallantly won. It is not improbable that Col. John Laurens witnessed and drew some of his inspiration from the scene of their first trial in the field.

It will be noticed, that in the absence of a formal system under continental authority, black men continued to find their way into the service, under various laws, and sometimes under no law or in defiance of law. Probably every State had its colored representatives among the soldiery—and there are acknowledgments of services expected or rendered among the records of nearly all the States.

In New Hampshire, those blacks who enlisted into the army for three years, were entitled to the same bounty as the whites. This bounty their masters received as the price of their liberty, and then delivered up their bills of sale, and gave them a certificate of manumission. Most of the slaves in New Hampshire were emancipated by their owners, with the exception of such as had grown old in service, and refused to accept their freedom, remaining with their masters, or as pensioners on the families of their descendants.



In Massachusetts, whose earlier action has been noted, a committee of the Legislature, in 1778, reported in favor of raising a regiment of "negroes, mulattoes, or Indians"—in which one sergeant in each company, and all the higher officers were to be white men.

Connecticut, too, is said to have resorted to the expedient of forming a corps of colored soldiers when the difficulties of recruiting became pressing, and the late General Humphreys, who was attached to the military family of the commander-in-chief, like Laurens, accepted the command of a company of these men, who are said to have "conducted themselves with fidelity and efficiency throughout the war."

In New York, where the system of domestic slavery was as firmly and rigorously established as in any part of the country, under the Colonial laws—certainly with more severity than in either Massachusetts or Connecticut—the first act that went to relax the system was the act of 1781, which gave freedom to all slaves who should serve in the army for the term of three years, or until regularly discharged. The enlistment was to be with the consent of the owner, who received the land bounty, and was discharged from any future maintenance of the slave.

It is a singular contrast that, in New Jersey, the enlistment of slaves was prohibited in the same year, 1781.

In 1780, an act was passed in Maryland to procure one thousand men, to serve three years. The property in the State was divided into classes of £16,000, each of which was, within twenty days, to furnish one recruit, who might be either a freeman or a slave. In 1781, the Legislature resolved to raise, immediately, seven hundred and fifty negroes, to be incorporated with the other troops.

Among the inducements offered to recruits in the

Southern States, "a healthy sound negro, between the ages of ten and thirty years, or sixty pounds in gold or silver, at the option of the soldier in lieu thereof," as well as the land bounty, were given (in Virginia) to soldiers already enlisted, or who should enlist and serve to the end of the war.

South Carolina gave a similar bounty,—“one sound negro between the age of ten years and forty,” “for each and every year’s service,” to soldiers enlisted for three years or during the war.

The idea that the negroes might be put to a better use did not escape all the statesmen of Virginia. James Madison, at that time a member of the Continental Congress, expressing his satisfaction with the determination of the Legislature of that State to recruit their line of the army for the war, refers to the “negro bounty” as follows:

“Without deciding on the expediency of the mode under their consideration, would it not be as well to liberate and make soldiers at once of the blacks themselves, as to make them instruments for enlisting white soldiers? It would certainly be more consonant to the principles of liberty, which ought never to be lost sight of in a contest for liberty; and with white officers and a majority of white soldiers, no imaginable danger could be feared from themselves, as there certainly could be none from the effect of the example on those who should remain in bondage; experience having shown that a freedman immediately loses all attachment and sympathy with his former fellow-slaves.”

In Virginia, an act was passed in 1777, that no negro should be enlisted without a certificate of freedom, the preamble to which declares that slaves had deserted their masters, and under pretence of being freemen had enlisted as soldiers.

In the "Old Dominion," too, many persons during the course of the war caused their slaves to enlist, having tendered them to the recruiting officers as substitutes for free persons, whose lot or duty it was to serve in the army, at the same time representing that these slaves were freemen. On the expiration of the term of enlistment, the former owners attempted to force them to return to a state of servitude, with equal disregard of the principles of justice and their own solemn promise.

The infamy of such proceedings aroused a just indignation, and led to an Act of Emancipation of all slaves who had been thus enlisted and served their term faithfully. The act acknowledged that such persons having "contributed towards the establishment of American liberty and independence, should enjoy the blessings of freedom as a reward for their toils and labors;" and authorized them to sue *in forma pauperis* and to recover damages, if detained in slavery.

Even in South Carolina, an Act was passed in 1783, enfranchising the wife and child of a negro slave, who had been employed by Governor Rutledge as a spy during the war. The diligence and fidelity which he displayed in executing the commissions with which he was intrusted, and the important information which he obtained from within the enemy's lines, frequently at the risk of his life, are duly commemorated in the act; and the emancipation of his wife and child was his "just and reasonable" reward. It does not appear whether the slave himself ever became a freeman.

Another document will serve to illustrate the subject still further—*fas est ab hoste doceri*. Lord Dunmore's offers, in 1775, have already been alluded to, and are familiar to most readers; those of Sir Henry Clinton in 1779, which follow, have hitherto attracted less attention.



*“By his Excellency, Sir HENRY CLINTON, K.B., General, and Commander-in-Chief of all His Majesty's Forces within the Colonies lying on the Atlantic Ocean, from Nova Scotia to West Florida, inclusive, &c., &c., &c. :*

“PROCLAMATION.

“WHEREAS, The Enemy have adopted a practice of enrolling NEGROES among their troops : I do hereby give Notice, that all NEGROES taken in Arms, or upon any military Duty, shall be purchased for [*the public service at*] a stated price ; the Money to be paid to the Captors.

“But I do most strictly forbid any Person to sell or claim Right over any NEGROE, the Property of a Rebel, who may take refuge with any part of this Army : And I do promise to every NEGROE who shall desert the Rebel Standard full Security to follow within these Lines any occupation which he shall think proper.

“Given under my Hand, at Head-Quarters,  
PHILIPSBURGH, the 30th day of June,  
1779.

“H. CLINTON.

“By his Excellency's Comman ,  
JOHN SMITH, Secretary.”

When this proclamation was first issued, the words enclosed within brackets were not in it. They were added in the publication two months later—with a statement that the omission was a mistake of the printers.

This proclamation does not appear to have elicited any official notice by the American authorities, but there is a spirited article on the subject, by an “American Soldier,” in one of the newspapers of the day, in which he says:

“Justice, honor and freedom are concerned for all men, of whatever nation or kindred, who are in the service of the United States, and fight under the banner of freedom ; therefore I have long expected some notice from authority would have been taken of that insulting and villanous proclamation. Justice demands retalia-

tion for every man in the service of these States, who may be injured by the ruffian tyrant or any of his slaves; and his slave Sir Harry ought to be told what retaliation he is to expect from the insulted majesty of our nation in this instance."

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These notes might be extended—but enough has been presented to illustrate the importance of the subject, and in part to show how it was treated in the ancient "times of trial." It requires little ingenuity to invent historical parallels—not very profound research to find historical precedents—but it is the highest wisdom to know how to apply the lessons of the Past. As Mr. Ruffhead said of the ancient statutes, "though they do not *govern*, they have been found proper to *guide*."

NEW YORK, *July*, 1862.





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